



Paul Duffy (SBN 224159)
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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

AF HOLDINGS LLC
Plaintiff,
v.
GAUTAM NYAYAPATHI,
Defendant.

No. 5:12-cv-04446-EJD

**NOTICE OF VOLUNTARY
DISMISSAL OF ACTION WITHOUT
PREJUDICE**

NOTICE OF VOLUNTARY DISMISSAL OF ACTION WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses this action in its entirety without prejudice.

In accordance with Federal Rule of Civil Procedure 41(a)(1), Defendant has neither filed an answer to Plaintiff's Complaint, nor a motion for summary judgment. Dismissal under Federal Rule of Civil Procedure 41(a)(1) is therefore appropriate. The Clerk shall close this file.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 8, 2013, all individuals of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document, and all attachments and related documents, using the Court's ECF system.

DATED: February 8, 2013

/s/Paul Duffy
Paul Duffy